

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

TONY HOWARD # 104000

PLAINTIFF

VERSUS

CIVIL ACTION NO. 5:17-cv-116-DCB-MTP

JASMINE HAUER, *et al.*

DEFENDANTS

ORDER

THIS MATTER is before the Court on Plaintiff's Motion [54] to Reconsider the Court's Order [50] denying Plaintiff's request to appoint counsel. Plaintiff moves the Court to appoint counsel to represent him in this civil lawsuit because he is not an attorney and the case, in his opinion, is complex. The Court recently addressed this issue and found that Plaintiff could communicate with the Court and an appointment of counsel was not warranted at this time. *See* Order [50].

A court will only grant a motion to reconsider under three instances: (1) there is an intervening change in the controlling law, (2) new evidence is available that was previously unavailable, or (3) the need to correct a clear error of law or prevent manifest injustice. *Payne v. Univ. of S. Mississippi*, 2013 WL 2445031, at *1 (S.D. Miss. June 5, 2013). None of these circumstances are present here and Plaintiff does not raise any new issues that were not previously considered. The Court finds that appointment of counsel is still not necessary.

IT IS, THEREFORE, ORDERED that Plaintiff's Motion [54] to Reconsider Order [50] is DENIED.

SO ORDERED this the 23rd day of May, 2019.

/s/Michael T. Parker

United States Magistrate Judge